

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

ROCHE DIAGNOSTICS CORP, and  
ROCHE DIABETES CARE, INC

Plaintiffs,

v.

CHRISTOPHER F. SHAYA

Defendant.

Case No. 19-cv-10264

Paul D. Borman  
United States District Judge

Elizabeth A. Stafford  
United States Magistrate Judge

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**ORDER DENYING DEFENDANT CHRISTOPHER SHAYA’S MOTION  
FOR RECONSIDERATION (ECF No. 98)**

Motions for reconsideration may be granted pursuant to E.D. Mich. LR 7.1(h)(1) when the moving party shows (1) a “palpable defect,” (2) that misled the court and the parties, and (3) that correcting the defect will result in a different disposition of the case. E.D. Mich. LR 7.1(h)(3). A “palpable defect” is a defect which is obvious, clear, unmistakable, manifest, or plain. *Mich. Dep’t of Treasury v. Michalec*, 181 F. Supp. 2d 731, 734 (E.D. Mich. 2002) (citations omitted). “Generally . . . the court will not grant motions for rehearing or reconsideration that merely present the same issues ruled upon by the court.” E.D. Mich. LR 7.1(h)(3).

The Court has considered the Defendant’s Motion for Reconsideration and finds that the issues raised by Defendant Shaya in his motion were fully raised in the

pleadings, were discussed at the hearing on July 22, 2021, and were ruled upon by the Court in its July 28, 2021 Opinion and Order Denying Defendant's Motion for Summary Judgment. (ECF No. 96.)

The Court concludes that this Motion for Reconsideration merely presents the same issues ruled upon by the Court, and that the Defendant has not identified a palpable defect in the Court's prior ruling that warrants a different outcome for this case. The present motion merely rehashes arguments that already were considered fully and addressed by the Court in its Opinion and Order.

Accordingly, it is ORDERED that the Defendant's Motion for Reconsideration (ECF No. 98) is DENIED.

SO ORDERED.

Dated: August 12, 2021

s/Paul D. Borman

Paul D. Borman  
United States District Judge